



# Agricultural Holdings (Scotland) Act 1991

## 1991 CHAPTER 55

### PART V

#### OTHER PROVISIONS REGARDING COMPENSATION

##### *Miscellaneous*

#### **53 Extent to which compensation recoverable under agreements.**

- (1) Unless this Act makes express provision to the contrary, where provision is made in this Act for compensation to be paid to a landlord or tenant—
  - (a) he shall be so entitled notwithstanding any agreement, and
  - (b) he shall not be entitled to compensation except under that provision.
- (2) Where the landlord and the tenant of an agricultural holding enter into an agreement in writing for such a variation of the terms of the lease as could be made by direction under section 9 of this Act, the agreement may provide for the exclusion of compensation in the same manner as under section 51(1) of this Act.
- (3) A claim for compensation by a landlord or tenant of an agricultural holding in a case for which this Act does not provide for compensation shall not be enforceable except under an agreement in writing.

#### **Modifications etc. (not altering text)**

- C1 S. 53 excluded (13.6.2017) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), ss. 117(2), 130(1) (with s. 128); S.S.I. 2017/20, reg. 2, sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Section 53.